

MANDATE

S.D.N.Y. - N.Y.C.
11-cv-691
Kaplan, J.
Francis, M.J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 26th day of September, two thousand thirteen.

Present:

José A. Cabranes,
Denny Chin,
Circuit Judges,
Edward R. Korman,*
District Judge.

Chevron Corporation,

Plaintiff - Counter-Defendant - Appellee,

v.

No. 13-1878

Steven Donziger, The Law Offices of Steven R.

Donziger, Donziger & Associates, PLLC,

Defendants-Counter-Claimants - Appellants,

Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje,

Defendants - Appellants,

Stratus Consulting, Inc., Douglas Beltman, Ann Maest,

Defendants-Counter-Claimants,

Kemperi Baihua Huani, *et al.*,

Intervenors - Defendants,

Pablo Fajardo Mendoza, *et al.*,

Defendants,

*The Honorable Edward R. Korman, of the United States District Court for the Eastern District of New York, sitting by designation.

Andrew Woods, Laura J. Garr, H5,

Respondents.

Appellee, through counsel, moves to dismiss the appeal. This Court has determined that it lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291, and the order compelling production of documents is not otherwise appealable. *See Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467 (1978); *Perlman v. United States*, 247 U.S. 7 (1918); *In re Air Crash at Belle Harbor on Nov. 21, 2001*, 490 F.3d 99, 106 (2d Cir. 2007). Upon due consideration, it is hereby ORDERED that Appellee's motion is GRANTED and the appeal is DISMISSED. In dismissing, we recall our previous *Jacobson* remand, *see Lago Agrio Plaintiffs v. Chevron Corp.*, 409 F. App'x 393, 396 (2d Cir. 2010); any subsequent appeal related to the disposition of the subpoenas referenced in that order, which are the subject of the instant motion, will be assigned to this panel.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk




A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


